

## STATUTES AMENDMENT BILL

### EXPLANATORY NOTE

*Clause 1* relates to the Short Title.

#### *Auckland Harbour Bridge*

*Clause 3* provides that certain bylaws made by the Auckland Harbour Bridge Authority are deemed to be made under the authority of the Transport Act 1962. This is intended to make it clear that traffic officers appointed under the Transport Act 1962 have authority to enforce bylaws relating to speeding, classes of traffic, and weights of vehicles, on the Auckland Harbour Bridge.

#### *Boilers, Lifts, and Cranes*

*Clause 5* imposes a minimum age of 18 years for all persons in charge of boilers, steam engines, cranes, and certain lifts. Previously the minimum age was 18 for males and 20 for females.

*Clause 6* empowers the Chief Surveyor to set and recognise standard requirements for the examination and qualification of welders engaged in the construction or repair of boilers or machinery. The Chief Surveyor is also empowered to conduct examinations of welders.

#### *Carriage of Goods*

*Clause 8* corrects a drafting error in section 18 (1) of the principal Act.

#### *Clerks of Works*

*Clause 10* amends the Clerks of Works Act 1944 by providing that the Clerks of Works Registration Board may prescribe its own fees. Any fees so prescribed will not come into force until approved by the Minister of Works and Development.

At present the fees are prescribed by regulation.

*Clause 11* validates fees which have been charged without lawful authority by the Board since 1968.

No. 122—1

Price \$1.65

### *Coal Mines*

*Clause 13* corrects a drafting error.

*Clause 14* excludes peat mined for horticultural purposes from the imposition of the Coal Mining Industries Welfare Fund levy from 1 April 1980, the commencement of the Coal Mines Act 1979.

### *Commerce*

*Clause 16*: Under section 81H of the Commerce Act 1975 every restraining order made by the Commerce Commission in a merger or takeover case has, unless revoked or renewed, a life limited to one month. The subsection imposing that limitation of one month is repealed by this clause. Parties to the proceedings may apply to the Commerce Commission at any time for the revocation of any such restraining order.

### *Consumer Council*

*Clause 18* increases the limit of the Consumer Council's unauthorised expenditure from \$400 to \$2,000 during and after its financial year beginning on 1 January 1980.

### *Cook Islands*

*Clauses 20 and 21*: Sections 338, 346, and 348 of the Cook Islands Act 1915 have a provision requiring persons taken in custody from the Cook Islands to New Zealand, from New Zealand to the Cook Islands, or between various islands in the Cooks, to be taken in a ship belonging to Her Majesty or in a British ship. As the main means of transport is now by air, the references to the means of transport have been removed by these clauses. Section 338 has been repealed and re-enacted (*clause 20*) rather than amended because of an error which occurred when the principal Act was reprinted in 1976.

*Clause 22* fulfils a constitutional requirement of the Constitution of the Cook Islands.

### *Counties Insurance Empowering*

*Clause 24* amends the principal Act to provide that any district council, or local authority that is entitled under the articles of association of the New Zealand Counties Co-operative Insurance Company Limited to do so, may become a member of the company, and may pay for the shares and raise money for that purpose. At present the Act provides only for county councils and district councils to become members of the company.

### *Dairy Industry*

*Clause 26* amends the definition of the term "Minister".

*Clause 27* amends the Dairy Industry Act 1957 to authorise the making under that Act of regulations similar to the Dairy Industry Accounts Regulations 1957. Those regulations are made under the Agriculture (Emergency

Powers) Act 1934, and therefore amendments to them must be confirmed by Act of Parliament. The clause also deems those regulations to have been made under the principal Act, and enables their amendment or repeal by regulations under the principal Act, thus eliminating the need for confirmation.

#### *Disabled Persons Community Welfare*

*Clause 29* amends section 14 of the principal Act to make it clear that grants for the incorporation of features for the benefit of disabled persons may be made in respect of new homes as well as existing homes.

In addition, provision is made for the securing of loans by way of mortgage.

#### *Employment Agents*

*Clause 31* increases from \$5 to \$20 the fee payable on an application for a licence, and from \$5 to \$10 the fee payable annually on renewal of a licence.

#### *Fisheries*

*Clause 33*: Section 103 (1) of the Fisheries Act 1908 provides that the Minister of Fisheries may appoint a deputy to act for a member of the Fisheries Licensing Authority if that member is incapacitated.

This clause allows the Minister to appoint the deputy at any time, not just when the member is unable to act as such.

#### *Gaming and Lotteries*

*Clause 35* empowers Distribution Committees to appoint one or more persons (whether or not members of the Committee) to be a subcommittee to deal with any application or class of applications for a grant. At present, every application has to be determined by the Committee itself.

*Clause 36* empowers the Minister and Distribution Committees to vary the terms and conditions of any loan or subsidy, and increase the amount of any such loan or subsidy, after it has been granted. At present, terms and conditions may be laid down on the initial grant of an application for assistance, but not subsequently.

#### *Geothermal Energy*

*Clause 38* provides that the rental payable by persons using geothermal energy shall be paid into the Energy Account. Formerly it was paid into the Consolidated Revenue Account. Expenses incurred in collecting the rentals are to be a charge on the Energy Account.

*Clause 39* provides that all money received by the Minister under any supply agreement relating to geothermal energy is to be credited to that Account.

#### *Housing*

*Clause 41* provides that when State housing land is sold the Housing Corporation of New Zealand may accept a mortgage in favour of the Crown as security for any part of the purchase price of the land.

### *Immigration*

*Clause 43* amends section 33 of the principal Act which requires every person who is entering or leaving New Zealand to make a declaration in the prescribed form. Subsection (2) (a) excludes from the requirement children under the age of 15 years. The amendment removes this exclusion, but provides for the declaration to be made by a person who is accompanying the child where the child is too young to make a declaration on his or her own behalf.

### *Industrial Relations*

*Clause 45*, which comes into force on 1 May 1981, lowers from 72 years to 68 years the age of retirement of Judges of the Arbitration Court. The Judges in office at the commencement of the clause are given the option of continuing in office until they attain the age of 72 years.

### *Innkeepers*

*Clause 47* amends section 8 of the principal Act relating to the monetary limit of an innkeeper's liability for loss of or damage to any property brought to the inn. The present limit for each article of \$80 is increased to \$300, and the limit for aggregate liability for all articles lost or damaged is increased from \$150 to \$1,200. The present amounts have remained unchanged since 1962.

### *Land Drainage*

*Clause 49* provides for the maximum annual allowance payable to Chairmen of Drainage Boards, and the maximum allowance payable to members of such boards for attending a meeting, to be fixed by the Minister of Local Government, with the concurrence of the Minister of Finance, rather than be set by statute as at present. It also removes the restriction on increasing the annual allowance of a Chairman during his term of office. The maximum annual allowance payable to the Deputy Chairman of a Drainage Board is fixed at 10 percent of the Chairman's allowance.

*Clause 50* inserts into the Land Drainage Act 1908 a provision at present contained in section 47 of the Finance Act 1933 (No. 2).

### *Licensing*

*Clause 52* includes within no-licence districts any parcels of land that are crossed by the boundary of the district, but that have a residential address within the district.

### *Margarine*

*Clause 54* authorises manufacturers of margarine to include colouring, flavouring, or (with the consent of the Minister of Agriculture) skim milk, in any margarine intended for export.

*Clause 55* metricates 2 provisions of the principal Act.

### *Marine Reserves*

*Clause 57* provides that fishing may take place in a marine reserve in accordance with any Order in Council declaring the marine reserve.

*Clause 58* makes it clear that an offence against the Act is not committed if the act is authorised by an Order in Council made under the Act.

### *Medical Practitioners*

*Clause 60* relates to disciplinary proceedings.

*Subclause (1)* requires the Divisional Disciplinary Committee to refer a matter that is outside its jurisdiction to the Medical Practitioners Disciplinary Committee.

*Subclause (2)* empowers a Disciplinary Committee to impose a penalty for conduct unbecoming a practitioner.

*Subclause (3)* corrects a drafting error.

*Clause 61* empowers the Medical Council to impose a levy to meet the costs of disciplinary proceedings.

### *Municipal Association*

*Clause 63* empowers the Association to prescribe, by resolution at its annual general meeting, the subscriptions, fees, or other payments to be paid by its members.

At present they are fixed under its rules which must be approved by the Minister of Local Government.

The clause is retrospective to 1 April 1980.

*Clause 64* empowers the Association to pay fees to members of the Executive Committee (other than the President) for carrying out any functions under the Act. At present only travelling expenses may be paid.

The clause also empowers the Association to pay fees and travelling allowances to any person acting under the directions of the Executive Committee.

In addition, the clause empowers the Executive Committee to fix the President's annual allowance. At present the allowance is fixed by the Minister of Local Government after consultation with the Minister of Finance.

### *New Zealand Counties Association*

*Clause 66* empowers the Association to prescribe, by resolution at its annual general meeting, the subscriptions, fees, or other payments to be paid by its members.

At present they are fixed under its rules which must be approved by the Minister of Local Government.

*Clause 67* empowers the Executive Committee of the Association to fix the President's annual allowance.

At present the allowance is fixed by the Minister of Local Government after consultation with the Minister of Finance.

### *New Zealand Film Commission*

*Clause 69* makes provision for the appointment of alternate members of the New Zealand Film Commission. Such alternate members may be designated by the Chairman to act during the incapacity of appointed members.

*Clause 70* inserts a new section which is adapted from section 30 of the Development Finance Corporation Act 1973 and which is to regulate the disclosure of interests by members of the New Zealand Film Commission. The Local Authorities (Members' Interests) Act 1968 is no longer to apply to the New Zealand Film Commission.

### *New Zealand Walkways*

*Clause 72* empowers the Walkway Commission to appoint, under section 14 (2) (g) of the principal Act, additional members to a District Walkway Committee for a term of not more than 3 years instead of for a set term of 3 years as at present specified.

*Clause 73* amends section 30 of the principal Act to enable the Walkway Commission to pay compensation to a landowner whose property has been damaged by a user of a walkway which the owner has agreed to grant, notwithstanding the fact that at the time the damage was done the walkway had not been formally declared as such.

### *Nurses*

*Clause 75* provides that disciplinary decisions of the Council take effect from the date on which they are served, and continue in force pending any appeal. The High Court is given the power, on the application of an appellant, to direct that such a decision be suspended pending the determination of an appeal. Previously such decisions did not take effect until 28 days after the notice had been given, and, if an appeal was lodged, the order had no effect pending the determination of the appeal.

*Clause 76: Subclause (1)* makes it clear that recommendations by the Council with respect to nursing programmes are to be made to the Minister. At present there is doubt about to whom the recommendations are to be directed.

*Subclause (2)* provides that the power that may be given to the Council to prescribe the details of nursing programmes is to be exercised with the approval of the Minister.

### *Occupational Therapy*

*Clause 78* varies the membership of the Occupational Therapy Board. The effect of the change is that not more than 1 of the 2 members who are registered occupational therapists engaged in the practice of occupational therapy may be employed in the psychiatric field. Previously it was possible for both such members to be employed in that field.

*Clause 79* increases the maximum penalties that may be imposed under the Act.

### *Optometrists and Dispensing Opticians*

*Clause 81* amends section 27 of the principal Act relating to provisional certificates. The purpose of the amendment is to make it clear that an applicant may be granted a provisional certificate if he is qualified to hold a recognised degree, diploma, or other qualification although he has not been formally presented with it.

### *Police*

*Clause 83:Subclause (1)* reduces from 1 month to 14 days the period of notice that is generally required of a member of the Police who wishes to resign.

*Subclause (2)*, in effect, permits a member who has to retire because of ill-health to retire immediately with the consent of the Commissioner. At present, the Commissioner must give the member at least 1 month's notice.

*Clause 84* entitles a member and his dependants to a pension or allowance where the disablement or death of that member is aggravated or precipitated by his service in the Police. At present, pensions and allowances are payable only where disablement or death is attributable to that service.

### *Property Law*

*Clause 86* implements the recommendation of the Property Law and Equity Reform Committee that sections 7 to 9 of the Statute of Frauds 1667 be replaced by a modern provision along the lines of section 53 of the Law of Property Act 1925 (U.K.).

*Clause 87* amends section 127 of the principal Act which provides for the removal of easements and restrictive covenants on certain grounds. It has recently been held by the High Court that the third ground—that the proposed modification or extinguishment will not substantially injure the persons entitled to the benefit—applies only to restrictive covenants. The amendment extends this ground to easements.

### *Public Bodies Leases*

*Clause 89* amends the First Schedule to the principal Act.

The amendment repeals clause 15A of that Schedule, rewords it, and inserts it as a proviso to clause 7.

The provisions affected relate to the rent to be paid under a renewal lease.

### *Public Finance*

*Clause 91* substitutes a new Fifth Schedule to the principal Act (which specifies the revolving funds that may be operated under section 52A of the principal Act, as inserted by section 3 of the Public Finance Amendment Act 1980). The new Fifth Schedule includes 2 new revolving funds, namely the Farm Development Fund of the Department of Lands and Survey and the Stationery Fund of the Government Printing Office.

### *Quarries*

*Clause 93* amends section 21 of the principal Act to make it clear that to employ a woman or young person in contravention of that section constitutes an offence against that Act.

*Queen Elizabeth the Second Arts Council of New Zealand*

*Clause 95* relates to the membership of the Queen Elizabeth the Second Arts Council of New Zealand. At present, the principal Act provides for the appointment of 1 person by the Minister on the nomination of the Broadcasting Council with the approval of the Postmaster-General. This clause provides for that member to be appointed by the Minister on the nomination of the Broadcasting Corporation made with the approval of the Minister of Broadcasting.

*Race Relations*

*Clause 97*: Under the Human Rights Commission Act 1977 a person aggrieved by the kinds of discrimination dealt with in that Act has the right to bring proceedings himself in the circumstances set out in section 38 (4) of that Act. This clause gives a parallel right to a person aggrieved by the kinds of discrimination dealt with in the Race Relations Act 1971.

*Rating*

*Clause 99*: Where rates are levied under the instalment system, the assessments issued in respect of each property before the rates for the year are fixed are calculated by dividing the number of instalments to be paid in the current rating year into the sum of all rates levied on the property for the immediately preceding rating year. This clause provides that every assessment issued in respect of a property before the rates for the year are fixed may be issued for a sum that is the same as the amount of the last instalment for which a rates assessment was issued in respect of that property in the immediately preceding rating year.

*Reserve Bank of New Zealand*

*Clause 101* substitutes a new section 15 in the principal Act. The new section provides that the directors of the Bank shall receive such fees, travelling allowances, and travelling expenses as may from time to time be determined by the Minister of Finance, and that any such determination may operate retrospectively. The present section 15 provides that the directors shall be entitled to receive such fees, travelling allowances, and travelling expenses as may from time to time be determined by the Governor-General in Council.

*Reserves*

*Clause 103* corrects an incorrect reference in the Reserves Act 1977 as amended by the Reserves Amendment Act 1979.

*River Boards*

*Clause 105* provides for the maximum annual allowance payable to the Chairmen of River Boards, and the maximum allowance payable to members of such boards for attending a meeting, to be fixed by the Minister of Local Government, with the concurrence of the Minister of Finance, rather than be set by statute as at present. It also removes the restriction on increasing the annual allowance of a Chairman during his term of office. The maximum annual allowance payable to the Deputy Chairman of a River Board is fixed at 10 percent of the Chairman's allowance.

*Clause 106* inserts into the River Boards Act 1908 2 provisions, at present contained in the Statutes Amendment Act 1939 and the Statutes Amendment Act 1945.



*Soil Conservation and Rivers Control*

*Clause 108* amends section 149 of the principal Act, which relates to the making of bylaws for the protection of watercourses and defences against water.

The amendment relates to the making of bylaws for the prescribing and collection of fees by Catchment Boards and Catchment Commissions.

At present such fees may be prescribed to meet the cost of inspections of watercourses in connection with the issue of permits for works of construction that would or might affect the flow of water in, into, from, or about the watercourse.

The amendment provides that such fees may be prescribed to meet the cost of surveys, inspections, and supervision in contemplation of or in connection with works of construction or excavation that would or might affect the flow of water in, into, from, or about any watercourse, and for the issue and supervision of permits for any such works.

*Clause 109* amends sections 34 and 35 of the Soil Conservation Amendment Act 1959, which relate to the notification of safeguards against erosion and flooding.

*Subclause (1)*: Under section 34 (2), the occupier of land may apply for consent to do any act, matter, or thing that has been declared, within the previous 2 years, to be likely to facilitate soil erosion or floods or cause deposits in watercourses.

This subclause provides for a right of objection to the Soil Conservation and Rivers Control Council against the refusal of a Board or Commission to grant consent, or against any condition imposed in respect of such consent.

*Subclause (2)* extends the provisions relating to the prevention of deposits in watercourses to the prevention of deposits in lakes or the sea.

*State Services Conditions of Employment*

*Clauses 111 and 112* provide for the appointment of an alternate service member to each of the three single service tribunals. These tribunals are the Government Service Tribunal, the Government Railways Industrial Tribunal, and the Hospital Service Tribunal. The new provisions follow those which already apply to the Public Sector Tribunal.

*Statutory Land Charges Registration*

*Clauses 114 and 115* authorise a partial release of a statutory land charge. At present, the whole charge must be released, or nothing.

*Stock Foods*

*Clause 117* includes cats, deer, and rabbits within the definition of the term "stock".

*Clause 118* makes metric conversions.

*Taranaki Scholarships Trust Board*

*Clause 120* extends the classes of educational institution at which Taranaki Scholarships are tenable. At present they are tenable only at New Zealand Universities and Lincoln College. They are now to be tenable also at technical institutes and at any other educational institution approved by the Minister of Education for the purpose.

### *Territorial Sea and Exclusive Economic Zone*

*Clause 122*: Section 18 of the principal Act provides for the imposition of fees by regulation on the granting or renewal of licences to fish in the exclusive economic zone. This clause extends the regulation making powers to prescribe both fees and royalties on all matters relating to fishing in the zone and not just on licences.

*Clause 123* repeals spent enactments.

### *Unit Titles*

*Clause 125* corrects a drafting error in section 8 (1) (b) of the Unit Titles Amendment Act 1979.

### *Universities*

*Clause 127* clarifies the powers of the University Grants Committee to purchase property, and gives it borrowing powers comparable with those of universities.

*Clause 128* increases the maximum amount of expenditure not otherwise authorised that in any financial year the University Grants Committee may incur. At present that amount is \$1,000. The clause increases the amount to one five-hundredth of the University Grants Committee's annual revenue from all sources during the previous year. For 1979 this amounts to \$3,636.

### *Valuers*

*Clause 130* makes it clear that the Valuers Registration Board may reprimand, fine, or suspend a valuer who is found guilty of improper, unethical, or incompetent conduct on a second occasion. At present, it is probable that the only penalty that may be imposed on a second such finding is deregistration.

*Clause 131* prohibits the Board from imposing a monetary penalty where its disciplinary action relates to conduct in respect of which the valuer has been convicted in a Court of law.

### *Vegetables Levy*

*Clause 133* increases the maximum amount of levy that may be levied in respect of vegetables purchased from a grower for the purpose of processing or canning from 0.5625 percent to 1 percent of the price paid for the vegetables.

### *Veterinary Services*

*Clause 135* amends the definition of the term "Minister".

*Clause 136* repeals the present requirement that the New Zealand Meat Producers Board hold \$1,000,000 as a special investment and pay its contribution towards the Veterinary Services Council out of the income. The Board will now pay its contribution out of its general funds.

*Water and Soil Conservation*

*Clause 138* amends section 20 of the principal Act to empower a Regional Water Board, with the consent of every regional council, united council, and territorial authority affected, to supply water to any area in its region.

*Clause 139* amends provisions of the principal Act relating to applications for water rights, and appeals.

*Subclause (1)* removes the obligation of Regional Water Boards to publicly notify every decision made in respect of applications for water rights under section 24 of the principal Act.

A new obligation is imposed, namely to give notice of every decision to the Minister, the National Water and Soil Conservation Authority, and every public authority or person having an interest in the decision greater than the public generally.

*Subclause (2)* enables a joint hearing to be held of applications for water rights and applications under Part IV of the Town and Country Planning Act 1977, if they relate to the same matter and the applications are made by the same body or person.

*Subclause (3)* provides for the joint hearing by the Planning Tribunal of an appeal under the principal Act and an appeal under the Town and Country Planning Act 1977, if the 2 appeals arise from related applications by the same body or person.

*Subclause (4)* amends the provision relating to the right to be represented and call evidence at the hearing of an appeal under the principal Act.

At present any Regional Water Board, public authority, or person that is affected has that right.

The amendment extends the right to any Regional Water Board, public authority, body, or person, having an interest in the proceedings greater than the public generally.

*Weights and Measures*

*Clause 141* authorises the Minister of Labour to permit goods or their packages or both to be marked with both Imperial and metric denominations if he is satisfied—

- (a) That those goods are part of a line of goods intended for sale by retail both—
  - (i) In New Zealand; and
  - (ii) In a country in which the denomination of an Imperial weight or measure is required by law to be marked on those goods or their packages or both; and
- (b) That the quantity of that line of goods to be sold by retail in New Zealand is too small to justify the cost of marking the goods, or the packages of the goods, that are to be sold in New Zealand differently from the goods or the packages of the goods that are to be sold by retail in a country outside New Zealand.

*Clause 142* repeals spent provisions.

*Wool Industry*

*Clause 144* authorises the New Zealand Wool Board to fix the remuneration and expenses payable to its Chairman, directors, and associate directors, and to members of committees appointed by it. At present these are subject to the approval of the Minister of Finance.

*Workers' Compensation*

*Clause 146*, which comes into force on 1 May 1981, lowers from 72 years to 68 years the age of retirement of the Judge of the Compensation Court. The Judge in office at the commencement of the clause is given the option of continuing in office until he attains the age of 72 years.

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Hon. J. K. McLay

## STATUTES AMENDMENT

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*Gaming and Lotteries*

34. Sections to be read with Gaming and Lotteries Act 1977  
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44. Sections to be read with Industrial Relations Act 1973  
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- 105. Maximum annual allowance of Chairmen and Deputy Chairmen, and maximum remuneration of members
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  - 66B. Subscriptions to New Zealand Drainage and River Boards' Association, and travelling expenses of representatives
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*Soil Conservation and Rivers Control*

- 107. Sections to be read with Soil Conservation and Rivers Control Act 1941
- 108. Bylaws for protection of water-courses, etc.
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- 110. Sections to be read with State Services Conditions of Employment Act 1977
- 111. Power to appoint alternate service members to Government Service Tribunal, Government Railways Industrial Tribunal, and Hospital Service Tribunal
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*Statutory Land Charges Registration*

- 113. Sections to be read with Statutory Land Charges Registration Act 1928
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- 116. Sections to be read with Stock Foods Act 1946
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|---|--|
| <p><i>Taranaki Scholarships Trust Board</i></p> <p>119. Sections to be read with Taranaki Scholarships Trust Board Act, 1957</p> <p>120. Taranaki Scholarships</p> <p style="text-align: center;"><i>Territorial Sea and Exclusive Economic Zone</i></p> <p>121. Sections to be read with Territorial Sea and Exclusive Economic Zone Act 1977</p> <p>122. Fees and royalties</p> <p>123. Repeal of spent enactments</p> <p style="text-align: center;"><i>Unit Titles</i></p> <p>124. Sections to be read with Unit Titles Act 1972</p> <p>125. Future development units</p> <p style="text-align: center;"><i>Universities</i></p> <p>126. Sections to be read with Universities Act 1961</p> <p>127. Further powers of University Grants Committee</p> <p>128. Expenditure not otherwise authorised</p> <p style="text-align: center;"><i>Valuers Amendment</i></p> <p>129. Sections to be read with Valuers Act 1948</p> <p>130. Disciplinary powers of Board</p> <p>131. Monetary penalty not to be imposed in certain circumstances</p> <p style="text-align: center;"><i>Vegetables Levy</i></p> <p>132. Sections to be read with Vegetables Levy Act 1957</p> | <p>133. Levy payable in respect of sale of vegetables</p> <p style="text-align: center;"><i>Veterinary Services</i></p> <p>134. Sections to be read with Veterinary Services Act 1946</p> <p>135. Interpretation</p> <p>136. Contributions of Boards</p> <p style="text-align: center;"><i>Water and Soil Conservation</i></p> <p>137. Sections to be read with Water and Soil Conservation Act 1967</p> <p>138. Regional water supply</p> <p>139. Applications in respect of natural water, appeals, etc.</p> <p style="text-align: center;"><i>Weights and Measures</i></p> <p>140. Sections to be read with Weights and Measures Act 1925</p> <p>141. Use of metric and Imperial denominations for the purposes of sale by retail</p> <p>142. Repeal of spent provisions</p> <p style="text-align: center;"><i>Wool Industry</i></p> <p>143. Sections to be read with Wool Industry Act 1977</p> <p>144. Remuneration and expenses of directors and committee members</p> <p style="text-align: center;"><i>Workers' Compensation</i></p> <p>145. Sections to be read with Workers' Compensation Act 1956</p> <p>146. Appointment of Judge Schedule</p> |
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## A BILL INTITULED

### An Act to amend certain enactments of the General Assembly

BE IT ENACTED by the General Assembly of New Zealand  
 5 in Parliament assembled, and by the authority of the same,  
 as follows:

1. **Short Title**—This Act may be cited as the Statutes Amendment Act 1980.

#### *Auckland Harbour Bridge*

10 2. Sections to be read with **Auckland Harbour Bridge Act 1950**—This section and the next succeeding section shall



be read together with and deemed part of the Auckland Harbour Bridge Act 1950\* (in that section referred to as the principal Act).

\*1950, No. 101

Amendments: 1954, No. 89; 1956, No. 58; 1957, No. 96; 1958, No. 29; 1962, No. 126; 1963, No. 74; 1965, No. 25; 1971, No. 83; 1979, No. 68

5 **3. Bylaws**—Section 56 of the principal Act is hereby amended by adding the following subsection:

“(4) Any bylaw in force under paragraphs (c), (d), (f), or (g), of section 55 of this Act shall, for the purposes of the Transport Act 1962, be deemed to have been made under that Act.”

10

*Boilers, Lifts, and Cranes*

**4. Sections to be read with Boilers, Lifts, and Cranes Act 1950**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Boilers, Lifts, and Cranes Act 1950\* (in those sections referred to as the principal Act).

\*Reprinted R.S. Vol. 1, p. 377

**5. Minimum age for persons in charge of certain items—**

(1) The principal Act is hereby amended by repealing section 30, and substituting the following section:

20 “30. (1) The owner of any boiler, steam engine, or crane to which this Act applies shall not leave that boiler, steam engine, or crane in the charge or control of any person who has not attained the age of 18 years.

25 “(2) The owner of any lift, other than an automatically controlled passenger lift that may be brought into operation by the pressure of a button that causes the lift car to start and to stop automatically at the landing corresponding to the button pressed, shall not permit that lift to be worked unless it is in the charge of an attendant who has attained the age of 18 years.

30 “(3) For the purposes of subsection (2) of this section the expression “an attendant” shall mean a person who has been specially employed or authorised in that behalf by the owner of the lift or his agent.”

35 (2) Section 2 (4) of the Boilers, Lifts, and Cranes Amendment Act 1966 is hereby consequentially repealed.

**6. Examination and qualification of welders**—The principal Act is hereby amended by inserting, after section 17, the following heading and section:

*“Examination, Qualification, and Certification of Welders*

**“17A. Examination, qualification, and certification of welders**—(1) The Chief Surveyor may prescribe standard requirements relating to the examination and qualification of welders engaged in the construction or repair of any boiler or machinery, and may conduct any such examination. 5

“(2) The Chief Surveyor may recognise any examination or qualification, whether passed or obtained within or outside New Zealand, as being equivalent to all or part of the standard requirements prescribed by him pursuant to subsection (1) of this section. 10

“(3) Where any examination is to be conducted by the Chief Surveyor, the prescribed fee for that examination shall be paid by the person sitting the examination. 15

“(4) The Chief Surveyor shall, on payment of the prescribed fee, issue to any person who has met the standard requirements prescribed by him pursuant to subsection (1) of this section or recognised by him pursuant to subsection (2) of this section, a certificate to that effect.” 20

*Carriage of Goods*

**7. Sections to be read with Carriage of Goods Act 1979**—This section and the next succeeding section shall be read together with and deemed part of the Carriage of Goods Act 1979\* (in that section referred to as the principal Act). 25

\*1979, No. 43

**8. Notice of claim of damage or partial loss to be given within 30 days**—Section 18 (1) of the principal Act is hereby amended by omitting the expression “subsection (3)”, and substituting the expression “subsection (4)”. 30

*Clerks of Works*

**9. Sections to be read with Clerks of Works Act 1944**—(1) This section and the next 2 succeeding sections shall be read together with and deemed part of the Clerks of Works Act 1944\* (in those sections referred to as the principal Act). 35

\*Reprinted 1977, Vol. 4, p. 2909

(2) This section and the next 2 succeeding sections shall come into force on a date to be fixed by Order in Council.

**10. Fees payable to Board**—(1) The principal Act is hereby amended by inserting, after section 7, the following section:

5 “7A. (1) The Board may, by resolution at any meeting, prescribe the fees payable to the Board in respect of —

“ (a) Examination and registration under this Act:

“ (b) The restoration of names after their removal from the register:

10 “ (c) Any other alteration of or addition to the register:

“ (d) The issue of certificates of registration and other certificates, copies of certificates, and inspections of the register.

15 “(2) Any fees prescribed under this section shall not come into force until they are approved by the Minister.

“(3) Any fees prescribed under this section may from time to time in like manner be amended, revoked, or added to, but any such amendment, revocation, or addition shall not come into force until it is approved by the Minister.”

20 (2) Section 38 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“ (1) The Secretary of the Board shall take and receive the fees prescribed by the Board under section 7A of this Act.”

25 (3) Section 47 (2) (c) of the principal Act is hereby repealed.

**11. Validation of fees**—Whereas the fees payable to the Board are prescribed in regulation 4 of the Clerks of Works Regulations 1945 and in the First Schedule to those regulations: And whereas in the year beginning on the 1st day of April 1968 the Board purported to increase those fees and has in fact collected fees in excess of those lawfully payable: And whereas it is desired to validate the fees actually collected by the Board:

35 Now therefore it is hereby declared that, notwithstanding anything in the principal Act or in the Clerks of Works Regulations 1945, the fees collected by the Board in each of the years beginning on the 1st day of April 1968 to and including the year beginning on the 1st day of April 1980  
40 are hereby validated, and that the actions of the Board are hereby confirmed.

*Coal Mines*

**12. Sections to be read with Coal Mines Act 1979**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Coal Mines Act 1979\* (in those sections referred to as the principal Act). 5

\*1979, No. 21

**13. Medical examination of persons employed in or about a coal mine**—Section 143 (6) of the principal Act is hereby amended, as from its commencement, by adding the words “, is for the time being in force”.

**14. Coal Mining Industries Welfare Fund**—Section 234 10  
(1) (c) of the principal Act is hereby amended, as from its commencement, by inserting, after the word “peat”, the following words “(other than peat mined for horticultural purposes)”.

*Commerce*

15

**15. Sections to be read with Commerce Act 1975**—This section and the next succeeding section shall be read together with and deemed part of the Commerce Act 1975\* (in that section referred to as the principal Act).

\*Reprinted 1976, Vol. 3, p. 2445  
Amendment: 1979, No. 42; 1979, No. 140

**16. Commission may restrain proposed transactions or sales of assets in contravention of the Act**—Section 81H of the principal Act (as enacted by section 22 of the Commerce Amendment Act 1976) is hereby amended by repealing subsection (2).

*Consumer Council*

25

**17. Sections to be read with Consumer Council Act 1966**—  
(1) This section and the next succeeding section shall be read together with and deemed part of the Consumer Council Act 1966\* (in that section referred to as the principal Act).  
(2) This section and the next succeeding section shall be 30  
deemed to have come into force on the 1st day of January 1980.

\*1966, No. 21  
Amendment: 1969, No. 72

**18. Unauthorised expenditure**—Section 32 of the principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964) is hereby further amended by omitting the words “four hundred dollars”, and substituting the expression  
5 “\$2,000”.

*Cook Islands*

**19. Sections to be read with Cook Islands Act 1915**—This section and the next 3 succeeding sections shall be read together with and deemed part of the Cook Islands Act 1915\*  
10 (in those sections referred to as the principal Act).

\*1915, No. 40 (Reprinted 1976, Vol. 4, p. 3073)

**20. Return to New Zealand in custody**—The principal Act is hereby amended by repealing section 338, and substituting the following section:

“338. Any person against whom an order of return to New  
15 Zealand has been so made shall, as soon as practicable there-  
after, be taken from the Cook Islands to New Zealand in the  
custody of such person as a Judge of the High Court may  
approve, and shall on arrival in New Zealand be there deliv-  
20 ered into the custody of an officer of police, to be dealt with  
in the same manner as if he had been arrested in New Zealand  
in pursuant of the original warrant issued there for his arrest.”

**21. Transfer of persons in custody to or in Cook Islands**—

(1) Section 346 of the principal Act is hereby amended by  
25 omitting the words “a ship belonging to Her Majesty or in a  
British ship, and in the custody either of the master of that  
ship or of such other person as a Magistrate”, and substituting  
the words “the custody of such person as a District Court  
Judge”.

(2) Section 348 of the principal Act is hereby amended by  
30 omitting the words “in any ship belonging to Her Majesty  
or in any British ship”.

**22. Application of Act to Cook Islands**—Whereas in  
accordance with Article 46 of the Constitution of the Cook  
Islands (as set out in the Second Schedule to the Cook  
35 Islands Constitution Amendment Act 1965) the Govern-  
ment of the Cook Islands has requested and consented to  
the enactment of a provision extending the provisions of this  
Act to the Cook Islands as part of the law of the Cook  
Islands: Be it therefore enacted as follows:

40 This Act shall extend to the Cook Islands as part of the  
law of the Cook Islands.

*Counties Insurance Empowering*

**23. Sections to be read with Counties Insurance Empowering Act 1941**—This section and the next succeeding section shall be read together with and deemed part of the Counties Insurance Empowering Act 1941\* (in that section referred to as the principal Act). 5

\*Reprinted R.S. Vol. 1, p. 631

**24. Certain local authorities may become members of company**—(1) The principal Act (as amended by section 8 (3) of the Local Government Amendment Act 1979) is hereby further amended— 10

(a) By omitting from section 5 the words “Any County Council or District Council may”, and substituting the words “Any local authority that is entitled to do so under the articles of association of the company, or District Council, may”: 15

(b) By omitting from section 6 the words “Any County Council or District Council”, and substituting the words “Any local authority that is entitled under the articles of association of the company to become a member thereof, or District Council,”. 20

(2) Part III of the Third Schedule to the Local Government Amendment Act 1979 is hereby consequentially amended by repealing so much thereof as relates to the Counties Insurance Empowering Act 1941.

*Dairy Industry*

25

**25. Sections to be read with Dairy Industry Act 1952**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Dairy Industry Act 1952\* (in those sections referred to as the principal Act).

\*Reprinted 1976, Vol. 4, p. 3393

**26. Interpretation**—Section 2 of the principal Act is hereby 30 amended by repealing the definition of the term “Minister”, and substituting the following definition:

“‘Minister’ means the Minister of Agriculture:”.

**27. Regulations**—(1) Section 32 (1) of the principal Act is hereby amended by inserting, after paragraph (z), the 35 following paragraph:

“(za) For—

5 “(i) Prescribing the form and content of the annual reports, balance sheets, accounts, and other statements of dairy companies, (including companies registered or entitled to be registered under the Co-operative Dairy Companies Act 1949), and dairy factories:

“(ii) Regulating the way in which such reports, balance sheets, accounts, and statements are to be dealt with:

10 “(iii) Prescribing rights and duties of auditors in relation to such reports, balance sheets, accounts, and statements, and in relation to the annual meetings of such companies and factories:”.

15 (2) The Dairy Industry Accounts Regulations 1957† are hereby deemed to have been made under the principal Act; and may be amended or revoked accordingly.

†S.R. 1957/136

Amendment No. 1: S.R. 1958/62

*Disabled Persons Community Welfare*

20 **28. Sections to be read with Disabled Persons Community Welfare Act 1975**—This section and the next succeeding section shall be read together with and deemed part of the Disabled Persons Community Welfare Act 1975\* (in that section referred to as the principal Act).

\*1975, No. 122

Amendment: 1979, No. 84

25 **29. Grants for incorporating essential features in homes**—(1) Section 14 (1) of the principal Act is hereby amended by omitting the words “carrying out essential alterations to”, and substituting the words “incorporating essential features in”.

30 (2) The said section 14 is hereby further amended by repealing subsection (2), and substituting the following subsection:

35 “(2) A suspensory loan under subsection (1) of this section for the purpose of providing such features may be made to any person who is either entitled to make alterations to an existing home or is involved in building a new home, in which a disabled person either resides or intends to reside, if the disabled person, or the person who has the care of the disabled person, is—

40 “(a) The owner of the home; or  
“(b) The tenant of the home.”

(3) Section 14 (3) of the principal Act is hereby amended by omitting the words “alterations to the home”, and substituting the words “features to be incorporated”.

(4) The said section 14 is hereby further amended by adding the following subsection: 5

“(4) A suspensory loan granted under this section may be secured against the interest in the land of the owner of the home that is to be altered or is being built, to accommodate a disabled person, by way of a memorandum of mortgage registered under the provisions of the Land Transfer Act 1952; in which event no fees shall be charged by the District Land Registrar under that Act for the registration of the memorandum of mortgage, any subsequent variation of it, or its discharge.” 10

### *Employment Agents*

15

**30. Sections to be read with Employment Agents Act 1908**—This section and the next succeeding section shall be read together with and deemed part of the Employment Agents Act 1908\* (in that section referred to as the principal Act). 20

\*Reprinted 1968, Vol. 2, p. 1557  
Amendment: 1975, No. 74

**31. Licence fees increased**—(1) Section 4 (1) (b) of the principal Act (as amended by section 3 (1) of the Employment Agents Amendment Act 1975) is hereby amended by omitting the expression “\$5”, and substituting the expression “\$20”. 25

(2) Section 5 of the principal Act (as substituted by section 3 of the Employment Agents Amendment Act 1960) is hereby amended by omitting from subsection (1) (as amended by section 3 (2) of the Employment Agents Amendment Act 1975) the expression “\$5”, and substituting the expression “\$10”. 30

(3) Section 3 of the Employment Agents Amendment Act 1975 is hereby consequentially repealed.

### *Fisheries*

**32. Sections to be read with Fisheries Act 1908**—This section and the next succeeding section shall be read together with and deemed part of the Fisheries Act 1908\* (in that section referred to as the principal Act). 35

\*1908, No. 65 (Reprinted 1976, Vol. 5, p. 3705)  
Amendments: 1977, No. 7; 1977, No. 131; 1979, No. 35



**33. Deputies of members**—Section 103 of the principal Act (as added by section 2 of the Fisheries Amendment Act 1977) is hereby amended by repealing subsection (1), and substituting the following subsection:

- 5 “(1) The Minister may, either concurrently with the appointment of a member to the Authority or at any time thereafter, appoint a deputy for the member; and such deputy may act in the place of the member to whom he is appointed deputy while that member is prevented by illness,  
10 absence, or other sufficient cause from performing the duties of his office, but such appointment as deputy may be revoked at any time by the Minister.”

*Gaming and Lotteries*

- 34. Sections to be read with Gaming and Lotteries Act 1977**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Gaming and Lotteries Act 1977\* (in those sections referred to as the principal Act).

\*1977, No. 84  
Amendment: 1979, No. 90

- 35. Distribution Committees may delegate functions**—The  
20 principal Act is hereby amended by inserting, after section 100, the following section:

“100A. (1) Notwithstanding section 100 of this Act, any Distribution Committee may appoint any person or persons (whether or not a member or members of the Committee) to  
25 be a subcommittee, and may delegate to such subcommittee its power to determine any application or class of applications made under section 101 of this Act.

“(2) The Distribution Committee, on delegating its powers under subsection (1) of this section, may issue to the sub-  
30 committee such general or specific instructions, and may impose such conditions, as it thinks fit.

“(3) The subcommittee, in exercising the powers delegated to it under this section, shall at all times be responsible to the Distribution Committee.

- 35 “(4) Except as otherwise provided in this section, the subcommittee to whom any powers are delegated under this section may exercise those powers in the same manner and with the same effect as if they had been directly conferred on that subcommittee by this Act and not by delegation.

“(5) Every subcommittee purporting to act under any delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting within the terms of the delegation.

“(6) No such delegation shall prevent the exercise by the Distribution Committee itself of any of the powers or functions conferred on it by this Act.” 5

**36. Subsequent variation of grants and loans—**(1) Section 101 of the principal Act is hereby amended by adding the following subsection: 10

“(4) The Minister or, as the case may be, the Distribution Committee, may from time to time vary or cancel any terms or conditions attached to any grant under subsection (3) of this section, or attach any new terms and conditions to that grant.” 15

(2) Section 102 of the principal Act is hereby amended by adding the words “, including any terms and conditions subsequently attached to the grant under section 101 (4) of this Act”.

(3) Section 103 (1) of the principal Act is hereby amended 20 by adding to paragraph (b) the word “; or”, and by adding the following paragraph:

“(c) The variation, cancellation, or discharge of any subsidy or loan previously approved under this subsection, or the increase of the amount of any 25 such subsidy or loan.”

(4) Section 103 (2) of the principal Act is hereby amended by adding the following paragraph:

“(c) Do any other thing necessary to give effect to the approval.” 35

(5) Section 103 of the principal Act is hereby further amended by repealing subsection (3), and substituting the following subsections:

“(3) Where the Secretary, purporting to act on behalf of any Distribution Committee, signs any document for the 40 purposes of this section, that document shall be deemed for all purposes to have been validly executed, and the Secretary’s signature shall be conclusive evidence of his authority to sign the document.

(3A) Any approval under this section may be made subject 30 to such terms and conditions as the Distribution Committee thinks fit.”

*Geothermal Energy*

37. Sections to be read with Geothermal Energy Act 1953—This section and the next 2 succeeding sections shall be read together with and deemed part of the Geothermal  
5 Energy Act 1953\* (in those sections referred to as the principal Act).

\*Reprinted 1975, Vol. 3, p. 2019  
Amendment: 1977, No. 89

38. Rental payable for the use of geothermal energy to be paid to Energy Account—Section 10 of the principal Act (as substituted by section 4 (1) of the Geothermal Energy  
10 Amendment Act 1966) is hereby amended by omitting from subsection (2) the words “Public Account to the credit of the Consolidated Revenue Account”, and substituting the words “Energy Account established under section 15A of the Ministry of Energy Act 1977; and all expenses incurred in collect-  
15 ing such rentals shall be paid out of that Account”.

39. Money received under supply agreement to be credited to Energy Account—Section 11 of the principal Act is hereby amended by adding, after subsection (6) (as added by  
20 section 4 of the Geothermal Energy Amendment Act 1977), the following subsection:

“(7) All money received by the Minister under any supply agreement negotiated under paragraph (d) of subsection (6) of this section shall be paid into the Energy Account established under section 15A of the Ministry of Energy Act 1977.”

25

*Housing*

40. Sections to be read with Housing Act 1955—This section and the next succeeding section shall be read together with and deemed part of the Housing Act 1955\* (in that section referred to as the principal Act).

\*1957 Reprint, Vol. 6, p. 221  
Amendment: 1971, No. 101

30 41. Sale of State housing land—Section 16 (2) of the principal Act is hereby amended by adding the following paragraph:

“(g) Accept as security for any part of the purchase price a mortgage in favour of the Crown.”

*Immigration*

**42. Sections to be read with Immigration Act 1964**—This section and the next succeeding section shall be read together with and deemed part of the Immigration Act 1964\* (in that section referred to as the principal Act). 5

\*1964, No. 43

Amendments: 1965, No. 87; 1968, No. 30; 1969, No. 83; 1976, No. 158; 1977, No. 98; 1978, No. 9; 1978, No. 54; 1979, No. 135

**43. Declarations required from persons entering or leaving New Zealand**—(1) Section 33 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) Where any person to whom subsection (1) of this section applies is a child under the age of 15 years who, because of his age, is incapable of making a declaration under that subsection on his own behalf, the parent or other person who is accompanying that child shall make the declaration for him.” 10 15

(2) Section 33 (2) (a) of the principal Act is hereby repealed.

*Industrial Relations*

**44. Sections to be read with Industrial Relations Act 1973**—(1) This section and the next succeeding section shall be read together with and deemed part of the Industrial Relations Act 1973\* (in that section referred to as the principal Act). 20

(2) This section and the next succeeding section shall come into force on the 1st day of May 1981. 25

\*Reprinted 1977, Vol. 4, p. 3405

Amendments: 1978, No. 40; 1979, No. 141

**45. Appointment of Judges**—(1) Section 37 (6) of the principal Act (as substituted by section 3 of the Industrial Relations Amendment Act 1977) is hereby amended by omitting the expression “72”, and substituting the expression “68”. 30

(2) Notwithstanding anything in section 37 (6) of the principal Act or in subsection (1) of this section, any Judge who is in office at the commencement of this section may, at his option, continue in office until he attains the age of 72 years. 35

*Innkeepers*

46. Sections to be read with Innkeepers Act 1962—This section and the next succeeding section shall be read together with and deemed part of the Innkeepers Act 1962\* (in that  
5 section referred to as the principal Act).

\*1962, No. 140

47. Monetary limit of liability increased—Section 8 of the principal Act (as amended by section 7 of the Decimal Currency Act 1964) is hereby amended—

- 10 (a) By omitting the expression “\$80”, and substituting the expression “\$300”:  
(b) By omitting the expression “\$300”, and substituting the expression “\$1,200”.

*Land Drainage*

48. Sections to be read with Land Drainage Act 1908—  
15 This section and the next 2 succeeding sections shall be read together with and deemed part of the Land Drainage Act 1908\* (in those sections referred to as the principal Act).

\*1957 Reprint, Vol. 7, p. 471

Amendments: 1958, No. 73; 1964, No. 95; 1965, No. 90; 1967, No. 87; 1972, No. 74; 1974, No. 93; 1976, No. 97; 1978, No. 102

49. Maximum annual allowance of Chairmen and Deputy Chairmen, and maximum remuneration of members—

- 20 (1) Section 11A (1) of the principal Act (as inserted by section 2 of the Land Drainage Amendment Act 1978) is hereby amended by omitting the words “\$800, out of the funds of the Board as the Board from time to time fixes, but no alteration in the amount of that allowance shall take  
25 effect during the term of office of any Chairman.”, and substituting the words “the amount for the time being fixed in that behalf by the Minister of Local Government, with the concurrence of the Minister of Finance, out of the funds of the Board.”  
30 (2) Section 13B of the principal Act (as inserted by section 3 of the Land Drainage Amendment Act 1978) is hereby amended by omitting the expression “\$9”, and substituting the words “the amount for the time being fixed in that behalf  
35 by the Minister of Local Government, with the concurrence of the Minister of Finance”.

(3) The following provisions are hereby consequentially repealed:

- (a) Section 11A (2) of the principal Act:
- (b) Section 2 (2) of the Land Drainage Amendment Act 1978.

5

**50. Watercourses not to be allowed to become nuisance—**

(1) The principal Act is hereby amended by inserting, after section 24, the following section:

“25 (1) Every Board shall cause all watercourses and drains vested in it or under its management to be so constructed and kept as not to be a nuisance or injurious to health, and to be properly cleared and cleansed, and maintained in proper order. 10

“(2) Subsection (1) of this section shall not prevent a Board from exercising any power conferred on it by section 62 of this Act. 15

“(3) Where, in the case of a drain actually constructed by it, a Board fails to comply with any requirement of subsection (1) of this section, it shall be liable to the owners or occupiers of any land for damage done to that land in consequence of or through that failure.” 20

(2) Section 47 of the Finance Act 1933 (No. 2) is hereby consequentially repealed.

*Licensing*

25

**51. Sections to be read with Licensing Act 1908—**This section and the next succeeding section shall be read together with and deemed part of the Licensing Act 1908\*.

\*Reprinted R.S. Vol. 3, p. 207

**52. No-licence districts—**Section 2 of the Licensing Amendment Act 1910 is hereby amended by adding, as subsection (2), the following subsection: 30

“(2) Notwithstanding the definition of the term ‘no-licence district’ in subsection (1) of this section or section 231 of the Sale of Liquor Act 1962, where the boundary of any no-licence district passes through any parcel of land that is wholly or partially outside a no-licence district and that has a residential address within that district, the parcel of land shall be deemed to be included within the no-licence district.” 35

*Margarine*

53. Sections to be read with Margarine Act 1908—This section and the next 2 succeeding sections shall be read together with and deemed part of the Margarine Act 1908\* 5 (in those sections referred to as the principal Act).

\*1957 Reprint, Vol. 9, p. 275  
Amendments: 1972, No. 127; 1978, No. 106

54. **Illegal acts**—(1) The principal Act is hereby amended by repealing section 4 (as substituted by section 2 (1) of the Margarine Amendment Act 1978), and substituting the following section:

10 “4. (1) No person shall—

“(a) Mix, colour, stain, or powder, margarine (other than polyunsaturated margarine) with any other ingredient or material, so as to imitate butter; or

15 “(b) Manufacture, sell, or offer for sale, as butter any margarine or other substance containing, or with which there is mixed, any animal fats, animal or vegetable oils, or extraneous dairy produce; or

“(c) Export, or attempt to export, margarine unless it is distinctly shipped and invoiced as margarine; or

20 “(d) Mix margarine (other than polyunsaturated margarine) with dairy produce.

“(2) Notwithstanding subsection (1) of this section, the Minister of Agriculture may, upon and subject to such terms and conditions as he thinks fit, authorise any person—

25 “(a) To mix margarine with dairy produce; or

“(b) To add to margarine intended for export any dairy produce, colouring, or flavouring;—

and in that case that person may act accordingly.

30 “(3) Nothing in this Act shall make it unlawful to include milk fat in polyunsaturated margarine.”

(2) Section 2 of the principal Act is hereby consequentially amended by repealing the definition of the term “Butterfat”, and substituting the following definition:

35 “Dairy produce” has the same meaning as in the Dairy Industry Act 1952:”.

(3) The Margarine Amendment Act 1978 is hereby consequentially repealed.

**55. Metrication**—The principal Act is hereby amended—

- (a) By omitting from section 5 the words “one and a half inches”, and substituting the expression “35 mm”; and
- (b) By omitting from section 7 (1) the words “a quarter of an inch”, and substituting the expression “6 mm”.

*Marine Reserves*

**56. Sections to be read with Marine Reserves Act 1971**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Marine Reserves Act 1971\* (in those sections referred to as the principal Act).

\*1971, No. 15

Amendments: 1975, No. 90; 1977, No. 136

**57. Fishing in marine reserve**—Section 3 of the principal Act is hereby amended by adding the following subsection:  
“(4) Nothing in this section shall apply to prohibit any person from fishing in the reserve in accordance with any conditions imposed by any Order in Council made under section 5 of this Act.”

**58. Offences**—Section 19 (1) of the principal Act is hereby amended by inserting, after the words “for that reserve”, the words “or by any Order in Council made under section 5 of this Act”.

*Medical Practitioners*

**59. Sections to be read with Medical Practitioners Act 1968**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Medical Practitioners Act 1968\* (in those sections referred to as the principal Act).

\*1968, No. 46

Amendments: 1970, No. 142; 1972, No. 82; 1973, No. 74; 1977, No. 118; 1977, No. 163; 1978, No. 112; 1979, No. 53

**60. Disciplinary proceedings**—(1) Section 42B of the principal Act (as inserted by section 18 of the Medical Practitioners Amendment Act 1979) is hereby amended by adding the following subsection:

“(3) Where the Divisional Disciplinary Committee is of the opinion, whether before or after it has completed its inquiry into any such charge, that the charge amounts to a



charge of professional misconduct, the Divisional Disciplinary Committee shall cease to inquire into or deal with the charge and shall refer it to the Secretary of the Medical Practitioners Disciplinary Committee as a complaint under section

5 42A (1) of this Act.”

(2) Section 43 of the principal Act is hereby amended by inserting in subsection (2), after the words “professional misconduct”, the words “or conduct unbecoming a practitioner”.

10 (3) Section 52A (1) of the principal Act (as inserted by  
 11 section 22 of the Medical Practitioners Amendment Act  
 1979) is hereby amended by omitting the expression “43B”,  
 and substituting the expression “42B”.

**61. Costs of administration of disciplinary proceedings—**

15 (1) The principal Act is hereby amended by repealing section  
 50, and substituting the following section:

“50. (1) The Medical Council may from time to time, by  
 resolution, impose on every registered medical practitioner a  
 20 levy of such amount as it thinks fit, to be applied towards the  
 costs and expenses of disciplinary proceedings under this  
 Act and proceedings under section 34 of this Act for suspen-  
 sion from practice for disability, and the costs and expenses  
 of and incidental to the exercise by the Council of its func-  
 tions under section 23 (2) (a) of the Misuse of Drugs Act  
 25 1975:

“Provided that the Council may exempt any class of  
 registered medical practitioner from payment of any levy  
 imposed under this subsection.

30 “(2) The costs and expenses of and incidental to the per-  
 formance by the Disciplinary Committee and the Divisional  
 Disciplinary Committee of their functions under this Act  
 shall be paid partly by the Association, partly out of money  
 levied by the Medical Council under subsection (1) of this  
 section, and partly out of money to be appropriated by  
 35 Parliament for the purpose, in proportions to be agreed upon  
 between the Council of the Association and the Minister  
 with the approval of the Minister of Finance.

40 “(3) The costs and expenses of and incidental to the per-  
 formance by the Medical Council of its functions under  
 sections 34, 53, 55, 56, and 58 of this Act, and under section  
 23 (2) (a) of the Misuse of Drugs Act 1975, to the extent that  
 they are not met by an order under section 58 of this Act,  
 may be paid out of money levied by the Medical Council  
 under subsection (1) of this section.

“(4) A registered medical practitioner who fails to pay any levy imposed under subsection (1) of this section shall not be entitled to receive an annual practising certificate for the year in respect of which the levy was imposed.”

(2) Section 67 (2) of the principal Act is hereby amended 5 by inserting, after the words “Subject to”, the words “section 50 of this Act, and to”.

### *Municipal Association*

**62. Sections to be read with Municipal Association Act 1939**—This section and the next 2 succeeding sections shall 10 be read together with and deemed part of the Municipal Association Act 1939\* (in those sections referred to as the principal Act).

\*1957 Reprint, Vol. 10, p. 371

Amendments: 1967, No. 95; 1973, No. 77; 1976, No. 103

**63. Subscriptions, etc., to Association**—(1) The principal Act is hereby amended by inserting, after section 4, the 15 following section:

“4A. (1) The Association may from time to time, at its annual conference, by resolution prescribe the subscriptions, fees, or other payments, annual or otherwise, to be paid by 20 members of the Association.

“(2) Any resolution made in accordance with subsection (1) of this section may prescribe different subscriptions, fees, or other payments for different members or classes of members, and provide for the exemption of any member or class 25 of member from any subscription, fee, or other payment.”

(2) Section 4 of the principal Act is hereby amended by repealing subsection (1) (d) and subsection (3).

(3) Notwithstanding the said repeals, any rules relating to the fixing of subscriptions, fees, or other payments made before the commencement of this Act shall continue in force 30 until the passing, in accordance with section 4A of the principal Act (as inserted by subsection (1) of this section), of a resolution relating to those subscriptions, fees, or other payments.

(4) This section shall be deemed to have come into force 35 on the 1st day of April 1980.

**64. Payments by Association**—(1) The principal Act is hereby further amended by repealing section 7, and substituting the following section:

“7. (1) The Association may—

40

“(a) Pay fees to members of the Executive Committee (other than the President) for carrying out any functions under this Act:

5 “(b) Pay the reasonable travelling expenses incurred by such members (including the President) in carrying out any functions under this Act:

“(c) Pay such fees and expenses to any person acting under the directions of the Executive Committee.

10 “(2) The President may, in addition to any amount payable for travelling expenses under subsection (1) of this section, be paid such annual allowance as may be fixed from time to time by the Executive Committee of the Association.”

(2) The Municipal Association Amendment Act 1976 is hereby consequentially repealed.

15

*New Zealand Counties Association*

65. Sections to be read with New Zealand Counties Association Act 1949—This section and the next 2 succeeding sections shall be read together with and deemed part of the New Zealand Counties Association Act 1949\* (in those 20 sections referred to as the principal Act).

\*1957 Reprint, Vol. 11, p. 149  
Amendment: 1976, No. 109

66. Subscriptions, etc., to Association—(1) The principal Act is hereby amended by inserting, after section 5, the following section:

25 “5A. (1) The Association may from time to time, at its annual conference, by resolution prescribe the subscriptions, fees, or other payments, annual or otherwise, to be paid by members of the Association.

30 “(2) Any resolution made in accordance with subsection (1) of this section may prescribe different subscriptions, fees, or other payments for different members or classes of members, and provide for the exemption of any member or class of member from any subscription, fee, or other payment.”

(2) Section 5 of the principal Act is hereby amended by repealing subsection (1) (d) and subsection (3).

35 (3) Notwithstanding the said repeals, any rules relating to the fixing of subscriptions, fees, or other payments made before the commencement of this Act shall continue in force until the passing, in accordance with section 5A of the principal Act (as inserted by subsection (1) of this section), 40 of a resolution relating to those subscriptions, fees, or other payments.

**67. Payments by Association**—(1) Section 8 of the principal Act is hereby amended by repealing subsection (2) (as substituted by section 2 (1) of the New Zealand Counties Association Amendment Act 1976), and substituting the following subsection: 5

“(2) The President may, in addition to any amount payable for travelling expenses under subsection (1) of this section, be paid such annual allowance as may be fixed from time to time by the Executive Committee of the Association.”

(2) The New Zealand Counties Association Amendment Act 1976 is hereby consequentially repealed. 10

*New Zealand Film Commission*

**68. Sections to be read with New Zealand Film Commission Act 1978**—This section and the next 2 succeeding sections shall be read together with and deemed part of the New Zealand Film Commission Act 1978\* (in those sections referred to as the principal Act). 15

\*1978, No. 61

**69. Alternate members of Commission**—(1) The principal Act is hereby amended by inserting, after section 6, the following section: 20

“6A. (1) The Minister may from time to time appoint as alternate members of the Commission persons who may act as the alternate of an appointed member of the Commission during the appointed member’s incapacity to perform the duties of his office. 25

“(2) Every alternate member of the Commission shall hold office for such term as the Minister shall specify in his appointment, being a term not exceeding 3 years; and may from time to time be reappointed.

“(3) If the Chairman is satisfied that any appointed member of the Commission (other than the Chairman) is incapacitated by illness, absence, or other sufficient cause from performing the duties of his office, the Chairman may designate an alternate member to act in the place of the appointed member during his incapacity. 30 35

“(4) Any alternate member designated under subsection (2) of this section to act in the place of an appointed member shall, while he acts in the place of that appointed member, have the powers, functions, and privileges, and shall perform the duties, of the appointed member for whom he is acting. 40

“(5) No designation of an alternate member and no act done by him as such, and no act done by the Commission while any alternate member is acting in the place of an appointed member, shall in any proceedings be questioned on the ground that the occasion for his designation had not arisen or had ceased.”

(2) Section 5 of the principal Act is hereby consequentially amended by inserting, after the words “an appointed member” wherever they appear, the words “or alternate member”.

(3) Section 10 (2) (c) of the principal Act is hereby amended by inserting, after the word “member”, the words “or alternate member”.

(4) Section 14 of the principal Act is hereby amended by omitting the words “of the Commission, or”, and substituting the words “or alternate member of the Commission, or a member”.

**70. Disclosure of interests—**(1) The principal Act is hereby amended by inserting, after section 9, the following section:

“9A. (1) Any member of the Commission or any committee of the Commission who, otherwise than as such member, is directly or indirectly interested in the exercise of any power or function by the Commission, or who is directly or indirectly interested in any arrangement, agreement, or contract made or entered into, or proposed to be made or entered into, by the Commission shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Commission.

(2) A disclosure under this section shall be recorded in the minutes of the Commission and, except as otherwise provided by resolution of the Commission, the member—

(a) Shall not take part after the disclosure in any deliberation or decision of the Commission relating to the exercise of the power or function by the Commission or to the arrangement, agreement, or contract; and

(b) Shall be disregarded for the purpose of forming a quorum of the Commission for any deliberation or decision.”

(2) The Local Authorities (Members' Interests) Act 1968 is hereby consequentially amended by repealing so much of Part II of the First Schedule (as amended by section 35 of the principal Act) as relates to the New Zealand Film Commission. 5

(3) The principal Act is hereby consequentially amended by repealing so much of the Schedule as relates to the Local Authorities (Members' Interests) Act 1968.

*New Zealand Walkways*

**71. Sections to be read with New Zealand Walkways Act 1975**—This section and the next 2 succeeding sections shall be read together with and deemed part of the New Zealand Walkways Act 1975\* (in those sections referred to as the principal Act). 10

\*1975, No. 31

Amendments: 1976, No. 110; 1977, No. 166; 1978, No. 116

**72. Term of office of appointed members of District Walkway Committees**—Section 15 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection: 15

“(1) Except as otherwise provided in this Act, every appointed member of a District Walkway Committee shall hold office for a term of— 20

“(a) Such period as may be specified by the Commission when making the appointment, where the appointment is made under section 14 (2) (g) of this Act: 25

“(b) Three years from the date of appointment, in any other case—

but may from time to time be reappointed.

**73. Finance**—(1) The principal Act is hereby further amended by repealing section 30, and substituting the following section: 30

“30. Except as otherwise provided in this Act, money required for—

“(a) The establishment, administration, control, maintenance, and improvement of walkways by the Commission, each District Walkway Committee, and each controlling authority which is a department of State; and 35

“(b) The discharge of any liability for damage to property incurred in respect of—

“(i) A walkway; or

5 “(ii) Any land available for public use as if it were a walkway, before it is gazetted as such, and which is the subject of an agreement made pursuant to section 22 (1) of this Act—

shall be paid from the Consolidated Account out of money appropriated by Parliament for the purpose to the services  
10 of VOTE LANDS AND SURVEY.”

11 (2) Section 2 (1) of the New Zealand Walkways Amendment Act 1978 is hereby consequentially repealed.

*Nurses*

15 **74. Sections to be read with Nurses Act 1977**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Nurses Act 1977\* (in those sections referred to as the principal Act).

\*1977, No. 53

**75. Effect of disciplinary order or decision of Council**—

20 (1) Section 42 of the principal Act is hereby amended by repealing subsection (12), and substituting the following subsections:

25 “(12) A copy of every order, decision, or determination of the Council under this Part of this Act shall take effect from the day on which it is served under section 43 (9) of this Act, or such later date as may be specified in the order, decision, or determination.

30 “(13) Subject to any order of the Court, every order, decision, or determination of the Council against which an appeal is lodged shall continue in force and have effect according to its tenor pending the determination of the appeal.”

(2) Section 49 of the principal Act is hereby amended by adding the following subsection:

35 “(4) The Court may, on the application of any person who has lodged an appeal under any of paragraphs (d) to (g) of subsection (1) of this section, direct that any order of the Council under any of those paragraphs that is the subject of the appeal shall be suspended pending the determination of the appeal.”

**76. Ministerial involvement in nursing programmes—**  
 (1) Section 11 (a) of the principal Act is hereby amended by inserting, after the words “To make recommendations”, the words “to the Minister”.

(2) Section 60 (1) (i) of the principal Act is hereby amended by inserting, after the words “providing for the Council”, the words “, with the approval of the Minister,”.

### *Occupational Therapy*

**77. Sections to be read with Occupational Therapy Act 1949—**This section and the next 2 succeeding sections shall be read together with and deemed part of the Occupational Therapy Act 1949\* (in those sections referred to as the principal Act).

\*Reprinted 1976, Vol. 5, p. 4227

**78. Membership of Occupational Therapy Board—**Section 4 (2) of the principal Act (as substituted by section 3 (1) of the Occupational Therapy Amendment Act 1959) is hereby amended by repealing paragraph (f) (as substituted by section 3 (1) of the Occupational Therapy Amendment Act 1972), and substituting the following paragraph:

“(f) Two persons, being registered occupational therapists engaged in the practice of occupational therapy, of whom—

“(i) One is employed in a psychiatric hospital within the meaning of the Mental Health Act 1969, or in the psychiatric department of any other hospital controlled by a Hospital Board:

“(ii) One is employed in a department, other than the psychiatric department, of a hospital controlled by a Hospital Board, other than a hospital within the meaning of the Mental Health Act 1969.”

**79. Certain penalties increased—**The principal Act (as amended by section 7 of the Decimal Currency Act 1964) is hereby amended—

(a) By omitting from section 13 (2) the expression “\$40”, and substituting the expression “\$100”:

(b) By omitting from section 17 the expression “\$100”, and substituting the expression “\$500”:

(c) By omitting from section 22 (3) the expression “\$10”, and substituting the expression “\$100”:



- (d) By omitting from section 25 (1) the expression "\$20", and substituting the expression "\$500":
- (e) By omitting from section 27 (1) (as amended by section 7 (1) of the Occupational Therapy Amendment Act 1972) the expression "\$50", and substituting the expression "\$500":
- (f) By omitting from section 32 (2) (j) the expression "\$20", and substituting the expression "\$200".

5

*Optometrists and Dispensing Opticians*

10 **80. Sections to be read with Optometrists and Dispensing Opticians Act 1976**—This section and the next succeeding section shall be read together with and deemed part of the Optometrists and Dispensing Opticians Act 1976\* (in that section referred to as the principal Act).

\*1976, No. 61

15 **81. Provisional certificates**—Section 27 (1) of the principal Act is hereby amended by omitting the words "is qualified for registration", and substituting the words "has completed the course and passed the examinations for a qualification that entitles him to be registered".

20

*Police*

**82. Sections to be read with Police Act 1958**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Police Act 1958\* (in those sections referred to as the principal Act).

\*Reprinted 1969, Vol. 4, p. 2747

Amendments: 1972, No. 32; 1973, No. 103; 1976, No. 154; 1978, No. 32; 1979, No. 130

25 **83. Period of notice of resignation or retirement reduced**—(1) Section 16 (1) of the principal Act is hereby amended by omitting the expression "1 month's", and substituting the expression "14 days".

(2) Section 28 (1) of the principal Act is hereby amended by adding the following proviso:

30

"Provided that the member may, with the consent of the Commissioner, waive his right to notice and retire immediately."

**84. Pensions in respect of death or disablement**—Section 42 (1) of the principal Act is hereby amended by inserting, after the words “attributable to”, the words “or aggravated or precipitated by”.

*Property Law*

5

**85. Sections to be read with Property Law Act 1952**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Property Law Act 1952\* (in those sections referred to as the principal Act).

\*Reprinted 1970, Vol. 3, p. 2287

Amendments: 1971, No. 121; 1975, No. 36; 1976, No. 114; 1977, No. 119

**86. Certain instruments to be in writing**—The principal Act is hereby amended by inserting in Part III, after section 49, the following section: 10

“49A. (1) No interest in land may be created or disposed of except by writing signed by the person creating or conveying the same or by his agent lawfully authorised in writing in that behalf, or by will, or by operation of law. 15

“(2) A declaration of trust respecting any land or any interest in land shall be manifested and proved by some writing signed by some person who is able to declare such trust or by his will. 20

“(3) A disposition of an equitable interest or trust subsisting at the time of the disposition shall be in writing signed by the person disposing of the same or by his agent lawfully authorised in writing in that behalf, or by will. 25

“(4) This section does not affect the creation or operation of resulting, implied, or constructive trusts. 25

“(5) Nothing in this section shall—

“(a) Invalidate dispositions by will; or

“(b) Affect any interest validly created before the commencement of this section; or 30

“(c) Affect the right to acquire an interest in land by virtue of taking possession; or

“(d) Affect the operation of the law relating to part performance.

“(6) This section is in substitution for sections 7 to 9 of the Statute of Frauds 1677 of the Parliament of England, and those sections shall cease to be in force in New Zealand, except in respect of the creation or conveyance of any interest in land, or a declaration of trust, or a disposition of an equitable interest or trust, before the commencement of this section.” 35 40

**87. Power for Court to modify or extinguish easements and restrictive stipulations**—Section 127 (1) (c) of the principal Act is hereby amended by inserting, after the words “entitled to the”, the words “easement or to the”.

5 *Public Bodies Leases*

**88. Sections to be read with Public Bodies Leases Act 1969**—This section and the next succeeding section shall be read together with and deemed part of the Public Bodies Leases Act 1969\* (in that section referred to as the principal  
10 Act).

\*1969, No. 141  
Amendments: 1971, No. 122; 1976, No. 116

**89. Amending First Schedule**—(1) The First Schedule to the principal Act is hereby amended by adding to clause 7 the following proviso:

15 “Provided that where, in the opinion of the lessor, the annual rent payable under a renewal lease would not exceed \$400, the lessor shall so advise the lessee and the lessee may agree to accept the renewal lease at such rent as may be agreed upon between the lessor and the lessee or, in default  
20 of agreement, as may be fixed by the valuation of one independent person to be appointed by agreement between the lessor and the lessee. In default of agreement on such appointment, the rent shall be fixed by arbitration in the manner provided for in the foregoing provisions of this clause.”

25 (2) The said First Schedule is hereby further amended by repealing clause 15A (as inserted by section 7 (3) of the Local Government Amendment Act (No. 3) 1977).

30 (3) So much of Part II of the Third Schedule to the Local Government Amendment Act (No. 3) 1977 as relates to the First Schedule to the principal Act is hereby consequentially repealed.

*Public Finance*

**90. Sections to be read with Public Finance Act 1977**—This section, the next succeeding section, and the Schedule  
35 to this Act shall be read together with and deemed part of the Public Finance Act 1977\* (in that section referred to as the principal Act).

\*1977, No. 65  
Amendment: 1980, No. 7

**91. Revolving funds**—(1) The principal Act is hereby amended by repealing the Fifth Schedule (as added by section 3 (2) of the Public Finance Amendment Act 1980), and substituting the Fifth Schedule set out in the Schedule to this Act. 5

(2) Section 3 (2) of, and the Schedule to, the Public Finance Amendment Act 1980 are hereby consequentially repealed.

### *Quarries*

**92. Sections to be read with Quarries Act 1944**—This section and the next succeeding section shall be read together with and deemed part of the Quarries Act 1944\* (in that section referred to as the principal Act). 10

\*1957 Reprint, Vol. 13, p. 1

Amendments: 1961, No. 64; 1972, No. 97; 1973, No. 88; 1975, No. 101; 1977, No. 186

**93. Restricting employment of women and young persons**—Section 21 of the principal Act (as substituted by section 2 of the Quarries Amendment Act 1977) is hereby amended by adding the following subsection: 15

“(5) Every person who employs another person in contravention of this section commits an offence against this Act.”

*Queen Elizabeth the Second Arts Council of New Zealand* 20

**94. Sections to be read with Queen Elizabeth the Second Arts Council of New Zealand Act 1974**—This section and the next succeeding section shall be read together with and deemed part of the Queen Elizabeth the Second Arts Council of New Zealand Act 1974\* (in that section referred to as the principal Act). 25

\*1974, No. 67

Amendments: 1977, No. 170; 1978, No. 29

**95. Membership of Queen Elizabeth the Second Arts Council**—Section 3 (2) of the principal Act is hereby amended by repealing paragraph (f), and substituting the following paragraph: 30

“(f) One person who shall be appointed by the Minister on the nomination of the Broadcasting Corporation of New Zealand made with the approval of the Minister of Broadcasting.”

*Race Relations*

**96. Sections to be read with Race Relations Act 1971—**  
 This section and the next succeeding section shall be read  
 together with and deemed part of the Race Relations Act  
 5 1971\* (in that section referred to as the principal Act).

\*Reprinted 1977, Vol. 4, p. 3589

**97. Procedure after investigation—**Section 17 of the prin-  
 cipal Act (as amended by section 86 of the Human Rights  
 Commission Act 1977) is hereby amended by inserting, after  
 subsection (3), the following subsections:  
 10 “(3A) Notwithstanding subsection (2) of this section and  
 section 38 (1) of the Human Rights Commission Act 1977  
 (as applied by subsection (2) of this section), the aggrieved  
 person (if any) may himself bring proceedings before the  
 Equal Opportunities Tribunal if he wishes to do so and the  
 15 Conciliator—

“(a) In any case where the Conciliator would be entitled  
 to take proceedings against the person referred to  
 in subsection (2) of this section for a breach of any  
 of the provisions of sections 3 to 7 or 9A of this  
 20 Act,—

“(i) Agrees to the aggrieved person so doing; or  
 “(ii) Declines to take proceedings; or

“(b) Is of the opinion, after investigation, that no breach  
 of any of the provisions of sections 3 to 7 or 9A of  
 25 this Act has occurred.

“(3B) Where the aggrieved person brings proceedings  
 pursuant to subsection (3A) of this section, all the provisions  
 of section 38 (5) to (8) and of section 40 of the Human  
 Rights Commission Act 1977 shall apply accordingly with  
 30 all necessary modifications.”

*Rating*

**98. Sections to be read with Rating Act 1967—**This section  
 and the next succeeding section shall be read together with  
 and deemed part of the Rating Act 1967\* (in that section  
 35 referred to as the principal Act).

\*1967, No. 123

Amendments: 1969, No. 104; 1970, No. 119; 1972, No. 98; 1975, No. 90;  
 1974, No. 117; 1976, No. 138; 1977, No. 172; 1978, No. 119

**99. Method of assessing instalments**—Section 86c of the principal Act (as inserted by section 20 of the Rating Amendment Act 1970) is hereby amended by repealing paragraph (a), and substituting the following paragraph:

“(a) In the case of every rates assessment issued before the date of the passing of the resolution, and, if the local authority so decides, every rates assessment issued within 2 months after that date,—

“(i) Subject to subparagraph (ii) of this paragraph, the sum assessed shall be calculated by dividing the sum of all rates levied on the property for the immediately preceding rating year (excluding any additional charges imposed under section 71 of this Act) by the number of instalments to be paid in the current rating year; or

“(ii) Where the rates levied on the property for the immediately preceding rating year were levied by the local authority under an instalment system adopted in accordance with this Part of this Act, the sum assessed may be the same as the amount of the last instalment for which a rates assessment was issued in respect of that property in the immediately preceding rating year:”.

*Reserve Bank of New Zealand*

**100. Sections to be read with Reserve Bank of New Zealand Act 1964**—This section and the next succeeding section shall be read together with and deemed part of the Reserve Bank of New Zealand Act 1964\* (in that section referred to as the principal Act).

\*Reprinted 1974, Vol. 3, p. 2439  
Amendments: 1975, No. 19; 1977, No. 68

**101. Fees and expenses of directors**—(1) The principal Act is hereby amended by repealing section 15, and substituting the following section:

“15. (1) The directors, other than the Governor and the Deputy Governor, shall be entitled to receive such fees, travelling allowances, and travelling expenses as may from time to time be determined by the Minister.

“(2) Any determination under subsection (1) of this section shall take effect on such date (whether the date thereof or any earlier or later date) as may be specified therein. If no date is specified the determination shall take effect on the date thereof.”

(2) Every determination made by the Governor-General in Council for the purposes of section 15 of the principal Act and in force immediately before the commencement of this section shall continue to have effect after the commencement  
5 of this section as if it had been made by the Minister.

*Reserves*

**102. Sections to be read with Reserves Act 1977**—This section and the next succeeding section shall be read together with and deemed part of the Reserves Act 1977\* (in that  
10 section referred to as the principal Act).

\*1977, No. 66  
Amendments: 1978, No. 121; 1979, No. 63

**103. References substituted**—Section 13 of the principal Act (as substituted by section 3 of the Reserves Amendment Act 1979) is hereby amended by omitting from subsections (1), (2), and (5) (a) the expression “section 17” wherever  
15 it occurs, and substituting in each case the expression “section 16”.

*River Boards*

**104. Sections to be read with River Boards Act 1908**—This section and the next 2 succeeding sections shall be read  
20 together with and deemed part of the River Boards Act 1908\* (in those sections referred to as the principal Act).

\*1957 Reprint, Vol. 13, p. 397  
Amendments: 1958, No. 91; 1974, No. 119; 1976, No. 118; 1978, No. 122

**105. Maximum annual allowance of Chairmen and Deputy Chairmen, and maximum remuneration of members**—  
25 (1) Section 48A (1) of the principal Act (as inserted by section 2 of the River Boards Amendment Act 1978) is hereby amended by omitting the words “\$800, out of the funds of the Board as the Board from time to time fixes, but no alteration in the amount of that allowance shall take effect during the term of office of any Chairman.”, and substituting  
30 the words “the amount for the time being fixed in that behalf by the Minister of Local Government, with the concurrence of the Minister of Finance, out of the funds of the Board as the Board from time to time fixes.”

(2) Section 66A of the principal Act (as inserted by section 3 of the River Boards Amendment Act 1978) is hereby amended by omitting the expression “\$9”, and substituting the words “the amount for the time being fixed in that behalf by the Minister of Local Government, with the concurrence of the Minister of Finance”.

(3) The following provisions are hereby consequentially repealed:

(a) Section 48A (2) of the principal Act:

(b) Section 2 (2) of the River Boards Amendment Act 1978. 10

**106. Further sections inserted**—(1) The principal Act is hereby amended by inserting, after section 66A, the following sections:

**“66B. Subscriptions to New Zealand Drainage and River Boards’ Association, and travelling expenses of representatives**—Any Board affiliated to the New Zealand Drainage and River Boards’ Association may from time to time, out of its General Fund, pay the annual subscription of the Board to the Association, and the actual and reasonable expenses of its representatives in attending meetings at the conferences of the Association. 15 20

**“66c. Boards may insure members against personal accident**—Any Board may from time to time enter into contracts of insurance, insuring members of the Board against loss from personal accident arising out of and in the course of the exercise of their powers or duties as members of the Board, and to pay the premiums payable in respect of such contracts.” 25

(2) The following provisions are hereby consequentially repealed: 30

(a) Section 66 of the Statutes Amendment Act 1939.

(b) Section 73 of the Statutes Amendment Act 1945.

### *Soil Conservation and Rivers Control*

**107. Sections to be read with Soil Conservation and Rivers Control Act 1941**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Soil Conservation and Rivers Control Act 1941\* (in those sections referred to as the principal Act). 35

\*Reprinted 1969, Vol. 4, p. 3063

Amendments: 1970, No. 43; 1971, No. 129; 1972, No. 26; 1973, No. 91; 1977, No. 64; 1979, No. 110



**108. Bylaws for protection of watercourses, etc.**—(1) Section 149 (1) of the principal Act is hereby amended by repealing paragraph (o) (as added by section 28 (4) of the Soil Conservation and Rivers Control Amendment Act 1959),  
5 and substituting the following paragraph:

“(o) Prescribing and providing for the collection of fees payable to the Board or Catchment Commission to meet the cost of surveys, inspections, and supervision in contemplation of or in connection with  
10 works of construction or excavation that would or might affect the flow of water in, into, from, or about any watercourse, and for the issue and supervision by the Board or Catchment Commission of permits for any such work.”

15 (2) Section 28 (4) of the Soil Conservation and Rivers Control Amendment Act 1959 is hereby consequentially repealed.

**109. Safeguards publicly notified**—(1) Section 34 of the Soil Conservation and Rivers Control Amendment Act 1959  
20 is hereby amended by inserting, after subsection (2), the following subsections:

“(2A) If the Catchment Board or the Catchment Commission refuses to grant consent under subsection (2) of this section, or grants such consent subject to any conditions, the  
25 applicant may object to the Board or Commission against the refusal or against any such condition..

“(2B) On receiving any such objection, the Board or Commission shall forthwith refer it to the Council for decision.

30 “(2C) On receiving any such objection, the Council shall consider it and make a decision, and forward its decision to the Board or Commission and the applicant.

“(2D) The decision of the Council under subsection (2c) of this section shall be binding on both parties.”

35 (2) Section 34 of the Soil Conservation and Rivers Control Amendment Act 1959 is hereby further amended—

(a) By inserting in subsection (1), after the word “watercourses,”, the words “lakes, or the sea,”:

(b) By adding to subsection (2) the words “, lakes, or the sea”.

(3) Section 35 of the Soil Conservation and Rivers Control Amendment Act 1959 is hereby amended—

(a) By inserting in subsection (1), after the word “water-courses,” in both places where it occurs, the words “lakes, or the sea,”:

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(b) By inserting in subsection (2), after the word “water-course,” in both places where it occurs, the words “a lake, or the sea,”.

*State Services Conditions of Employment*

**110. Sections to be read with State Services Conditions of Employment Act 1977**—This section and the next 2 succeeding sections shall be read together with and deemed part of the State Services Conditions of Employment Act 1977\* (in those sections referred to as the principal Act).

\*1977, No. 95

Amendments: 1978, No. 41; 1979, No. 111

**111. Power to appoint alternate service members to Government Service Tribunal, Government Railways Industrial Tribunal, and Hospital Service Tribunal**—(1) Section 49 (2) (c) of the principal Act is hereby amended by omitting the word “person”, and substituting the words “service member and an alternate service member”.

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(2) Section 49 of the principal Act is hereby further amended by inserting, after subsection (3), the following subsection:

“(3A) The service member and the alternate service member shall not be entitled to sit as members of the Tribunal at the same time. The service member shall sit as a member of the Tribunal, and the alternate service member shall sit in place of the service member only when the service member is unable to sit by reason of illness, absence or other cause (whatever its nature).”

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(3) Section 50 (2) (c) of the principal Act is hereby amended by omitting the words “person (not being)”, and substituting the words “service member and an alternate service member (not being, in the case of either member)”.

(4) Section 50 of the principal Act is hereby further amended by inserting, after subsection (3), the following subsection:

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“(3A) The service member and the alternate service member shall not be entitled to sit as members of the Tribunal at the same time. The service member shall sit as a member of the Tribunal, and the alternate service member shall sit

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in place of the service member only when the service member is unable to sit by reason of illness, absence or other cause (whatever its nature).”

5 (5) Section 51 (2) (c) of the principal Act is hereby amended by omitting the word “person”, and substituting the words “service member and an alternate service member”.

(6) Section 51 of the principal Act is hereby further amended by inserting, after subsection (3), the following subsection:

10 “(3A) The service member and the alternate service member shall not be entitled to sit as members of the Tribunal at the same time. The service member shall sit as a member of the Tribunal, and the alternate service member shall sit in place of the service member only when the service member  
15 is unable to sit by reason of illness, absence or other cause (whatever its nature).”

**112. Term of office of appointed members, vacancies, and decisions**—Section 52 of the principal Act is hereby amended by adding the following subsection:

20 “(8) The fact that any official member (in the absence of the other official member), or any alternate service member (in the place of the service member), of a Single Service Tribunal attends and acts as a member of the Tribunal at any meeting of the Tribunal shall be conclusive evidence of  
25 his authority to do so.”

*Statutory Land Charges Registration*

**113. Sections to be read with Statutory Land Charges Registration Act 1928**—This section and the next 2 succeeding sections shall be read together with and deemed part of  
30 the Statutory Land Charges Registration Act 1928\* (in those sections referred to as the principal Act).

\*1957 Reprint, Vol. 15, p. 183  
Amendments: 1959, No. 82; 1971, No. 133

**114. Release of registered charge**—(1) The principal Act is hereby amended by repealing section 7, and substituting the following section:

35 “7. (1) Upon the production of a certificate in form No. 2 in the Schedule to this Act, signed by the person or authority entitled to the benefit of the charge, releasing the land from the whole or part of the charge, or releasing any part of the

land from the whole or any part of the charge, the Registrar shall make an entry in the register and (where necessary) on the outstanding instrument of title, noting that the charge is released wholly or partially.

“(2) In the case of a charge registered for the benefit of a corporation, a certificate under this section may be signed on behalf of such corporation by the chairman or the secretary, clerk, or other responsible officer of the governing body of the corporation. 5

“(3) If it appears to the Registrar that any charge registered under this Act has been wholly or partially satisfied, and that for any reason it is impossible or impracticable to obtain a certificate to that effect as required by the foregoing provisions of this section, the Registrar may, on application in writing by any proprietor of the land affected by the charge, cause a release or partial release of the charge to be registered.” 10 15

(2) Section 2 (c) of the Statutory Land Charges Registration Amendment Act 1971 is hereby consequentially repealed.

**115. Form of release amended**—Form No. 2 in the Schedule to the principal Act is hereby amended by omitting the words “, and you are hereby required and directed to register a release of the same”, and substituting the words “[or partially satisfied or is no longer claimed in respect of the part of the land described below], and you are hereby required to make an entry in the register and (where necessary) on the outstanding instrument of title, noting that the charge is released wholly [or partially]”. 20 25

### *Stock Foods*

**116. Sections to be read with Stock Foods Act 1946**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Stock Foods Act 1946\* (in that section referred to as the principal Act). 30

\*1946, No. 6 (1957 Reprint, Vol. 15, p. 265)  
Amendment: 1966, No. 48

**117. Definition of stock to include cats, deer, and rabbits**—Section 2 (1) of the principal Act is hereby amended by inserting, after the word “dogs” in the definition of the term “stock” (as amended by section 2 of the Stock Foods Amendment Act 1966), the words “, cats, deer, rabbits,”. 35

**118. Metric conversions**—(1) The First Schedule to the principal Act (as substituted by section 3 (7) of the Stock Foods Amendment Act 1966) is hereby amended—

5 (a) By omitting from clause 1 the words “one-sixteenth of an inch”, and substituting the expression “1.6 mm”:

(b) By omitting from the second column the words “pound” and “ton” wherever they appear, and substituting respectively the words “kilogram” and “tonne”.

10 (2) Clause 4 of the Second Schedule to the principal Act (as inserted by section 5 (1) of the Stock Foods Amendment Act 1966) is hereby amended—

(a) By omitting the words “one-eighth of an inch”:

15 (b) By omitting the words “for each linear inch”, and substituting the words “every 2.5 linear centimetres”.

*Taranaki Scholarships Trust Board*

**119. Sections to be read with Taranaki Scholarships Trust Board Act 1957**—This section and the next succeeding section shall be read together with and deemed part of the Taranaki Scholarships Trust Board Act 1957\* (in that section referred to as the principal Act).

\*Reprinted 1975, Vol. 4, p. 3423

**120. Taranaki Scholarships**—Section 12 of the principal Act is hereby amended by revoking paragraph (d) (as substituted by section 2 (1) of the Taranaki Scholarships Trust Board Amendment Act 1962), and substituting the following paragraph:

25 “(d) A scholarship shall be tenable—  
30 “(i) At any university (within the meaning of the Universities Act 1961):  
“(ii) At any technical institute (within the meaning of the Education Act 1964):  
35 “(iii) At any other educational institution in New Zealand for the time being approved by the Minister of Education for the purpose.”

*Territorial Sea and Exclusive Economic Zone*

**121. Sections to be read with Territorial Sea and Exclusive Economic Zone Act 1977**—This section and the next succeeding section shall be read together with and deemed part of the Territorial Sea and Exclusive Economic Zone Act 1977\* 5  
(in that section referred to as the principal Act).

\*1977, No. 28

**122. Fees and royalties**—(1) The principal Act is hereby amended by repealing section 18, and substituting the following section:

“18. There shall, in respect of the granting or renewal of 10  
any licence, the use of any fishing craft, or the taking of  
any fish, be payable to the Crown in such manner as may  
from time to time be prescribed such fee or royalty as may  
be so prescribed.”

(2) Section 22 (1) of the principal Act is hereby conse- 15  
quentially amended by repealing paragraph (d), and  
substituting the following paragraph:

“(d) Prescribing the fees and royalties payable to the  
Crown and their method of payment; and pre-  
scribing the circumstances in which such fee or 20  
royalty or any part thereof may be refunded.”

**123. Repeal of spent enactments**—(1) The Fisheries  
(Agreement with Japan) Act 1967 is hereby repealed.

(2) Section 2 (3) of the Foreign Affairs Amendment Act 25  
1969 is hereby consequentially amended by omitting the  
words “section 4 (2) of the Fisheries (Agreement with Japan)  
Act 1967.”

(3) The Fisheries (Agreement with Japan) Act Com-  
mencement Order 1967 is hereby consequentially revoked.

*Unit Titles*

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**124. Sections to be read with Unit Titles Act 1972**—This  
section and the next succeeding section shall be read together  
with and deemed part of the Unit Titles Act 1972\*.

\*1972, No. 15

Amendment: 1979, No. 37

**125. Future development units**—Section 8 (1) (b) of the  
Unit Titles Amendment Act 1979 is hereby amended by 35  
inserting, after the words “fee simple estate”, the words “or,  
as the case may be, the estate”.

*Universities*

126. Sections to be read with Universities Act 1961—This section and the next 2 succeeding sections shall be read together with and deemed part of the Universities Act 1961\* (in those sections referred to as the principal Act).

\*1961, No. 54

Amendments: 1962, No. 109; 1966, No. 7; 1970, No. 148; 1971, No. 137; 1977, No. 35; 1978, No. 130

127. Further powers of University Grants Committee—

(1) The principal Act is hereby amended by inserting, after section 11A (as inserted by section 33 (1) of the Higher Salaries Commission Act 1977), the following section:

10 “11AA. (1) Without limiting or in any way affecting any other power conferred on the University Grants Committee by this Act or any other Act or bylaw, it is hereby declared that—

15 “(a) The University Grants Committee may purchase, take on lease, or otherwise acquire any real or personal property, for any purposes whatsoever in connection with the performance of its functions under this Act:

20 “(b) Subject to subsection (2) of this section, the University Grants Committee may in any financial year, in anticipation of its revenue for that year, from time to time borrow money by way of overdraft, or on temporary loan, for the purpose of performing its functions under this Act:

25 “(c) With the consent of the Minister, the University Grants Committee may, for the purpose of performing any of its functions under this Act, borrow money—

30 “(i) From the Crown; or

“(ii) With the approval of the Minister of Finance, given upon and subject to such terms and conditions as he thinks fit, from any other corporation or person;—

35 and in that case (for the purpose of securing any money so borrowed), may mortgage, charge, or pledge, any right, title, estate, or interest in any land vested in it.

“(2) No amount shall be borrowed under subsection (1) (b) of this section in any financial year unless—

“(a) The aggregate of that amount and any previous amounts so borrowed during that financial year does not exceed one-third of the amounts payable to the University Grants Committee under section 57 of this Act in respect of that year; and 5

“(b) It is so borrowed subject to such terms and conditions that at the end of that financial year the amount outstanding of all money so borrowed during that year does not exceed any amounts outstanding of the amounts payable to the University Grants Committee under section 57 of this Act in respect of that year.” 10

(2) Section 57 of the principal Act is hereby consequentially amended by inserting, after paragraph (a), the following paragraph: 15

“(ab) All money appropriated by Parliament for the purposes of a reserve for the replacement of equipment by the University Grants Committee:” 20

**128. Expenditure not otherwise authorised**—The principal Act is hereby amended by repealing section 21, and substituting the following section:

“21. In any year the University Grants Committee may, for purposes not otherwise authorised by this Act or by any other Act, expend out of its funds any sum or sums not exceeding in the aggregate one five-hundredth of its revenue from all sources during the previous year.” 25

#### *Valuers Amendment*

**129. Sections to be read with Valuers Act 1948**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Valuers Act 1948\* (in those sections referred to as the principal Act). 30

\*1957 Reprint, Vol. 16, p. 377  
Amendments: 1959, No. 7; 1968, No. 115; 1970, No. 109; 1974, No. 127; 1977, No. 181

**130. Disciplinary powers of Board**—The proviso to section 31 (1) of the principal Act is hereby repealed. 35



**131. Monetary penalty not to be imposed in certain circumstances**—Section 33 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

- 5 “(1A) The Board shall not impose any monetary penalty under subsection (1) of this section in respect of any act or default that constitutes an offence of which the registered valuer has been convicted by a Court.”

*Vegetables Levy*

- 10 **132. Sections to be read with Vegetables Levy Act 1957**—This section and the next succeeding section shall be read together with and deemed part of the Vegetables Levy Act 1957\* (in that section referred to as the principal Act).

\*1957 Reprint, Vol. 16, p. 399

Amendments: 1960, No. 93; 1972, No. 112; 1975, No. 108; 1978, No. 133

- 15 **133. Levy payable in respect of sale of vegetables**—(1) Section 3 (4) of the principal Act (as substituted by section 2 of the Vegetables Levy Amendment Act 1960 and amended by section 2 (1) of the Vegetables Levy Amendment Act 1978) is hereby further amended by omitting the expression “0.5625 percent”, and substituting the expression “1 percent”.
- 20 (2) The Vegetables Levy Amendment Act 1978 is hereby consequentially amended by repealing section 2 (1).

*Veterinary Services*

- 25 **134. Sections to be read with Veterinary Services Act 1946**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Veterinary Services Act 1946\* (in those sections referred to as the principal Act).

\*1957 Reprint, Vol. 16, p. 405

Amendments: 1959, No. 101; 1962, No. 110; 1980, No. 10

- 30 **135. Interpretation**—Section 2 of the principal Act is hereby amended by repealing the definition of the term “Minister”, and substituting the following definition:  
“‘Minister’ means the Minister of Agriculture.”

**136. Contributions of Boards**—(1) The principal Act is hereby amended by repealing section 18, and substituting the following section:

“18. (1) Subject to subsection (2) of this section, the amount of the annual contribution payable by each of the contributory Boards shall be paid out of its funds.

“(2) On the recommendation of the Dairy Board, the Minister of Finance may in any year, if he thinks fit, direct the payment of all or any specified part of the contribution payable by that Board in respect of that year out of the Dairy Industry Account; and in that case payment shall be made out of that account accordingly.”

(2) Section 17 of the principal Act is hereby repealed.

### *Water and Soil Conservation*

**137. Sections to be read with Water and Soil Conservation Act 1967**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Water and Soil Conservation Act 1967\* (in those sections referred to as the principal Act).

\*Reprinted 1973, Vol. 2, p. 1703

Amendments: 1974, No. 137; 1976, No. 164; 1977, No. 63

**138. Regional water supply**—Section 20 of the principal Act is hereby amended by inserting, after subsection (5), the following subsections:

“(5A) A Board, with the consent of every regional council, united council, and territorial authority affected, may supply water to any area within its region.

“(5B) Where a Board undertakes such supply, the provisions of Part XXIV of the Local Government Act 1974 (as inserted by section 2 of the Local Government Amendment Act 1979) shall, so far as they are applicable and with the necessary modifications, apply as if the Board were a regional or united council for the purposes of that Part of that Act.”

**139. Applications in respect of natural water, appeals, etc.**—(1) Section 24 (10) of the principal Act is hereby amended—

(a) By omitting the words “publicly notified and”:

(b) By inserting, after the words “shown in his application”, the words “and to the Minister, the Authority, and every public authority or person having an interest in the decision greater than the public generally”.

(2) The said section 24 is hereby further amended by adding the following subsections:

5 “(12) When a matter arising from an application for a right to natural water is brought before a Board or Tribunal under this section, any hearing concerning the matter or any consideration of the matter may be conducted jointly with any hearing or consideration by a territorial authority concerning another matter arising from an application for consent under Part IV of the Town and Country Planning Act 1977, if the 2 matters arise from related applications by the same body or person.

10 “(13) A request for a joint hearing or joint consideration under subsection (12) of this section, may be made by the Board or the territorial authority or the applicant and, if such a request is made to the Board by the territorial authority or the applicant, the Board shall comply with that request unless it has good cause not to do so.”

(3) Section 25 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

20 “(1A) Any such appeal may be heard jointly with an appeal under section 69 of the Town and Country Planning Act 1977, if the 2 appeals arise from related applications by the same body or person.”

(4) The said section 25 is hereby further amended by 25 repealing subsection (3), and substituting the following subsection:

30 “(3) At the hearing of any such appeal the Minister, the Authority, any party, and any Board or public authority or body or person having any interest in the proceedings greater than the public generally, may be represented by counsel or otherwise, and may call evidence on any matter that should be taken into account in determining the appeal.”

### *Weights and Measures*

**140. Sections to be read with Weights and Measures Act 35 1925**—This section and the next 2 succeeding sections shall be read together with and deemed part of the Weights and Measures Act 1925\*.

\*1957 Reprint, Vol. 16, p. 631

Amendments: 1968, No. 118; 1969, No. 115; 1971, No. 139; 1972, No. 115; 1976, No. 162; 1977, No. 182

141. Use of metric and Imperial denominations for the purposes of sale by retail—The Weights and Measures Amendment Act 1976 is hereby amended by inserting, after section 4, the following section:

“4A. (1) The Minister may from time to time, by notice in the *Gazette*, authorise the use of any denomination of an Imperial weight or measure on any specified goods or specified class of goods displayed or exposed for sale by retail or on the packages of any such goods or class of goods or on both if the Minister is satisfied—

“(a) That the goods or class of goods are part of a line of goods intended for sale by retail both—

“(i) In New Zealand; and

“(ii) In a country in which the denomination of an Imperial weight or measure is required by law to be marked on the goods or class of goods or on the package in which they are enclosed or on both; and

“(b) That the quantity of that line of goods to be sold by retail in New Zealand is too small to justify the cost of marking the goods, or the packages of the goods, that are to be sold in New Zealand differently from the goods or the packages of the goods that are to be sold by retail in a country outside New Zealand.

“(2) The Minister may in a notice under subsection (1) of this section specify conditions subject to which any denomination of an Imperial weight or measure may be used on any goods or class of goods or package to which subsection (1) (a) of this section applies.

“(3) The Minister may at any time, by notice in the *Gazette*, amend or revoke any notice given under subsection (1) of this section.

“(4) It shall not be an offence against section 4 (1) of this Act for any person to use any denomination of an Imperial weight or measure on any goods, or on the package of any goods, displayed or exposed for sale by retail if—

“(a) A notice under subsection (1) of this section is in force in respect of—

“(i) The goods; or

“(ii) The class of goods to which the goods belong; or

“(iii) The package; and

- “(b) The Imperial denomination is additional to one or more of the weights or measures of the metric system; and
- 5 “(c) Any conditions which are specified in the notice and which are applicable to—
- “(i) The goods; or
- “(ii) The class of goods to which the goods belong; or
- “(iii) The package,—
- 10 are complied with.”

**142. Repeal of spent provisions**—Section 4 (3) of the Weights and Measures Amendment Act 1976 and section 3 of the Weights and Measures Amendment Act 1977 are hereby repealed.

15 *Wool Industry*

**143. Sections to be read with Wool Industry Act 1977**—This section and the next succeeding section shall be read together with and deemed part of the Wool Industry Act 1977\* (in that section referred to as the principal Act).

\*1977, No. 92  
Amendment: 1978, No. 136

20 **144. Remuneration and expenses of directors and committee members**—Section 13 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

25 “(1) The Board shall pay to the Chairman of the Board, directors, associate directors, and the members of any committee appointed by the Board, such fees, salary, allowances, and travelling allowances and expenses, as the Board by resolution from time to time determines.”

*Workers' Compensation*

30 **145. Sections to be read with Workers' Compensation Act 1956**—(1) This section and the next succeeding section shall be read together with and deemed part of the Workers' Compensation Act 1956\* (in that section referred to as the principal Act).

35 (2) This section and the next succeeding section shall come into force on the 1st day of May 1981.

\*Reprinted 1966, Vol. 4, p. 3323  
Amendments: 1967, No. 29; 1967, No. 122; 1968, No. 121; 1970, No. 113; 1971, No. 44; 1972, No. 125; 1978, No. 73

**146. Appointment of Judge**—(1) Section 41 (5) of the principal Act is hereby amended by omitting the word “seventy-two”, and substituting the expression “68”.

(2) Notwithstanding anything in section 41 (5) of the principal Act or in subsection (1) of this section, the Judge in office at the commencement of this section may, at his option, continue in office until he attains the age of 72 years.

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### SCHEDULE

#### Section 91 (1)

#### NEW FIFTH SCHEDULE TO PUBLIC FINANCE ACT 1977

#### “FIFTH SCHEDULE

#### Section 52A

#### “REVOLVING FUNDS

Name of Operating Department	Name of Revolving Fund	Activity to which Fund Relates
Department of Maori Affairs	Maori Land Development Fund	Development and farming of land
Department of Lands and Survey	Farm Development Fund	Development and farming of land
Government Office Printing	Stationery Fund	Procurement and supply of stationery”